



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

Victor Ketelapper

Phone 800-227-8917

<http://www.epa.gov/region08>CONSENT FOR ACCESS TO PROPERTY

Name: 33 E. 36th LLC (or current property owner)

Location of Property: 3375-3377 E 36Th Ave

I consent to officers, employees, and authorized representatives of the United States Environmental Protection Agency (EPA) entering and having continued access to the above referenced property for the purpose of taking samples of soil on the Site.

I realize that these actions are undertaken pursuant to EPA's response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund), 42 U.S.C. § 9601 *et seq.*

Scott Olson manager

Printed Name

33-- E 36th, LLC

303-561-1799

Phone Number

8-30-05

Date

Signature

**Evergreen Analytical, Inc.**

4036 Youngfield Street, Wheat Ridge, Colorado 80033-3862  
(303) 425-6021

Client Project ID 213001.01  
Date Received: 10/6/05

Lab Order: 05-7610  
Date Prepared: 10/18/05  
Units: mg/Kg

**Metals**  
**Arsenic**

Method: SW6010

Prep Method: SW3050

Lab ID	Client ID	Matrix	Date Collected	Date Analyzed	Results	LQL	DF
05-7610-01A	VB-4158-CL-01	Soil	10/3/05	10/19/05	5.4	4.0	1
05-7610-02A	VB-4158-CL-02	Soil	10/3/05	10/19/05	5.6	4.1	1
05-7610-03A	VB-4158-CL-03	Soil	10/3/05	10/19/05	4.1	4.1	1
05-7610-04A	VB-3510-BR-01	Soil	10/3/05	10/19/05	25	4.1	1
05-7610-05A	VB-3510-BR-02	Soil	10/3/05	10/19/05	21	4.1	1
05-7610-06A	VB-3510-BR-03	Soil	10/3/05	10/19/05	23	4.0	1
05-7610-07A	VB-3455-EL-01	Soil	10/3/05	10/19/05	33	4.1	1
05-7610-08A	VB-3455-EL-02	Soil	10/3/05	10/19/05	14	4.1	1
05-7610-09A	VB-3455-EL-03	Soil	10/3/05	10/19/05	17	4.0	1
05-7610-10A	VB-3338-HA-01	Soil	10/6/05	10/19/05	4.4	4.1	1
05-7610-11A	VB-3338-HA-02	Soil	10/6/05	10/19/05	4.8	4.0	1
05-7610-12A	VB-3338-HA-03	Soil	10/6/05	10/19/05	U	4.0	1
05-7610-13A	VB-3403-LA-01	Soil	10/6/05	10/19/05	5.2	4.1	1
05-7610-14A	VB-3403-LA-02	Soil	10/6/05	10/19/05	5.1	4.1	1
05-7610-15A	VB-3403-LA-03	Soil	10/6/05	10/20/05	6.1	4.0	1
05-7610-16A	VB-3421-HU-01	Soil	10/6/05	10/20/05	5.3	4.0	1
05-7610-17A	VB-3421-HU-02	Soil	10/6/05	10/20/05	6.1	4.0	1
05-7610-18A	VB-3421-HU-03	Soil	10/6/05	10/20/05	6.6	4.1	1
05-7610-19A	VB-3846-HI-01	Soil	10/6/05	10/20/05	5.3	4.0	1
05-7610-20A	VB-3846-HI-02	Soil	10/6/05	10/20/05	5.1	4.0	1
05-7610-21A	VB-3846-HI-03	Soil	10/6/05	10/12/05	5.1	4.1	1
05-7610-22A	VB-3375-36-01	Soil	10/6/05	10/12/05	32	4.1	1
05-7610-23A	VB-3375-36-02	Soil	10/6/05	10/12/05	170	4.1	1
05-7610-24A	VB-3375-36-03	Soil	10/6/05	10/12/05	17	4.1	1

  
Analyst

  
Approved

**Qualifiers:** B - Analyte detected in the associated Method Blank, value not subtracted from result  
E - Extrapolated value. Value exceeds calibration range  
H - Sample exceeded analytical holding time  
J - Indicates an estimated value when the compound is detected, but is below the LQL  
S - Spike Recovery outside accepted limits  
U - Compound analyzed for but not detected  
X - See case narrative  
\* - Value exceeded the Maximum Contamination Level (MCL)

**Definitions:** DF - Dilution Factor  
PF - Prep Factor  
LQL - Lower Quantitation Limit

Print Date: 10/20/05

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**Evergreen Analytical, Inc.**  
4036 Youngfield Street, Wheat Ridge, Colorado 80033-3862  
(303) 425-6021

Client Project ID 213001.01  
Date Received: 10/6/05

Lab Order: 05-7610  
Date Prepared: 10/18/05  
Units: mg/Kg

**Metals**  
**Lead**

Method: SW6010

Prep Method: SW3050

Lab ID	Client ID	Matrix	Date Collected	Date Analyzed	Results	LQL	DF
05-7610-01A	VB-4158-CL-01	Soil	10/3/05	10/19/05	100	5.8	1
05-7610-02A	VB-4158-CL-02	Soil	10/3/05	10/19/05	100	5.9	1
05-7610-03A	VB-4158-CL-03	Soil	10/3/05	10/19/05	120	6.0	1
05-7610-04A	VB-3510-BR-01	Soil	10/3/05	10/19/05	160	5.9	1
05-7610-05A	VB-3510-BR-02	Soil	10/3/05	10/19/05	100	5.9	1
05-7610-06A	VB-3510-BR-03	Soil	10/3/05	10/19/05	130	5.8	1
05-7610-07A	VB-3455-EL-01	Soil	10/3/05	10/19/05	500	5.9	1
05-7610-08A	VB-3455-EL-02	Soil	10/3/05	10/19/05	290	6.0	1
05-7610-09A	VB-3455-EL-03	Soil	10/3/05	10/19/05	160	5.9	1
05-7610-10A	VB-3338-HA-01	Soil	10/6/05	10/19/05	53	5.9	1
05-7610-11A	VB-3338-HA-02	Soil	10/6/05	10/19/05	84	5.8	1
05-7610-12A	VB-3338-HA-03	Soil	10/6/05	10/19/05	56	5.9	1
05-7610-13A	VB-3403-LA-01	Soil	10/6/05	10/19/05	140	5.9	1
05-7610-14A	VB-3403-LA-02	Soil	10/6/05	10/19/05	190	6.0	1
05-7610-15A	VB-3403-LA-03	Soil	10/6/05	10/20/05	180	5.9	1
05-7610-16A	VB-3421-HU-01	Soil	10/6/05	10/20/05	190	5.8	1
05-7610-17A	VB-3421-HU-02	Soil	10/6/05	10/20/05	170	5.9	1
05-7610-18A	VB-3421-HU-03	Soil	10/6/05	10/20/05	160	5.9	1
05-7610-19A	VB-3846-HI-01	Soil	10/6/05	10/20/05	160	5.9	1
05-7610-20A	VB-3846-HI-02	Soil	10/6/05	10/20/05	130	5.8	1
05-7610-21A	VB-3846-HI-03	Soil	10/6/05	10/12/05	150	5.9	1
05-7610-22A	VB-3375-36-01	Soil	10/6/05	10/12/05	73	5.9	1
05-7610-23A	VB-3375-36-02	Soil	10/6/05	10/12/05	98	5.9	1
05-7610-24A	VB-3375-36-03	Soil	10/6/05	10/12/05	70	5.9	1

  
Analyst

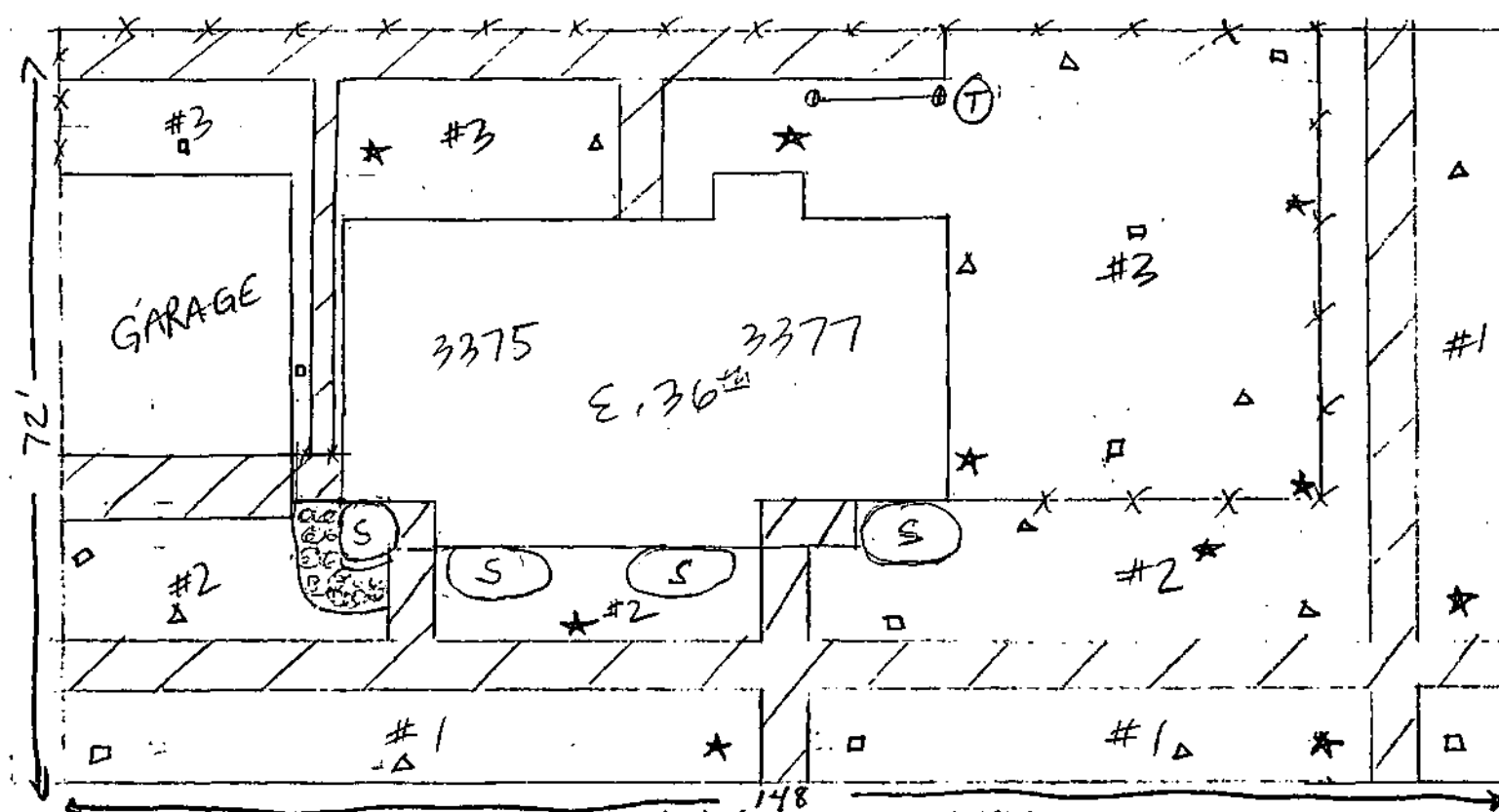
  
Approved

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Definitions: DF - Dilution Factor  
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LQL - Lower Quantitation Limit

Print Date: 10/20/05

3375-3377 E. 36<sup>th</sup> 1754



	SAMPLE SECTION	# OF GRIDS	SAMPLE POINTS
1110 VB-3375-36-01-□-GRN	#1	84	9 ✓
1115 VB-3375-36-02-△-YEL	#2	69	7 ✓
1105 VB-3375-36-03-★-RED	#3	128	14 ✓
		281	

$$281/30 = 9.36$$

10/6/05  
NF/AJ/AR



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8  
999 18<sup>th</sup> STREET, SUITE 300  
DENVER, CO 80202-2466  
Phone 800-227-8917  
<http://www.epa.gov/region08>

Ref: 8EPR-SR

December 7, 2005

33 E 36TH LLC  
PO BOX 1122  
WHEAT RIDGE CO 80034

RE: 3375 E 36TH AVE

Dear :

The United States Environmental Protection Agency (EPA) has tested your property for arsenic and lead soil contamination as part of the Vasquez Boulevard/Interstate 70 (VB/I-70) Superfund Site.

***Concentrations of Arsenic and/or lead found in your soil are high enough for your property to qualify for the removal action EPA is performing this year.***

<u>ADDRESS</u>	<u>EPA Cleanup Level</u>
<b>Lead</b>	
80 parts per million (ppm)	above 400 ppm
<b>Arsenic</b>	
170 ppm	above 70 ppm

EPA would like to remove the top layer of soil from your yard and replace it with clean soil. EPA will then re-landscape your yard to a condition similar to original. ***All work will be performed by EPA for free. EPA requires your consent to proceed as soon as possible.*** An Access Agreement that will allow the EPA to perform the soil removal work accompanies this letter. ***I strongly encourage you to sign this agreement and mail it back to the following address:***

US EPA – VB/I-70 Project Site  
Attention: Victor Ketellapper  
10 East 55<sup>th</sup> Avenue  
Denver, Colorado 80216

Your property will be scheduled for soil removal provided we promptly receive the signed Access Agreement with a telephone number where you can be contacted. EPA will coordinate the soil removal activity with you to reduce any inconvenience to you. Upon completion of the cleanup, EPA will issue a letter stating that your property has been cleaned and that no further action is necessary.

Once the attached access agreement has been received, representatives of EPA will contact you to discuss the removal of contaminated soil from your property. In the meantime, if you have further questions regarding the removal of contaminated soil at your property, please contact us at (303) 487-0377.

Sincerely,

Victor Ketellapper  
Remedial Project Manager  
United States Environmental Protection Agency (US EPA)

# Consent For Access To Property

## RIGHT OF ENTRY TO PREMISES

Grantor (the property owner) consents to and authorizes the United States Environmental Protection Agency (EPA) or its authorized representatives, collectively the Grantee, to enter and perform certain environmental response activities upon the following described premises:

<b>Owner's Name:</b> 33 E 36TH LLC	<b>Phone:</b>
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<b>Addresses of Properties covered by this Agreement:</b>	<b>Address:</b> 3375 E 36TH AVE
	<b>Address:</b>
	<b>Address:</b>

## PURPOSE OF RESPONSE ACTIVITIES

The EPA is requesting access to collect soil samples and remove soil that contains elevated concentrations of arsenic and/or lead and may pose a health hazard. The soil will be removed and the excavated area(s) will be replaced with clean materials and restored. This work is being performed under the Vasquez Boulevard/I-70 Superfund Site remediation program.

An EPA representative will contact the Grantor in-person to discuss the work to be performed. The Grantor will have an opportunity to review and approve the planned soil removal and restoration work before it begins. Once the work is finished, the Grantor will be asked to review the work and confirm that it is complete and meets with the Grantor's approval. Upon completion, the Grantor will receive written documentation from EPA that the property has been remediated.

## ENVIRONMENTAL RESPONSE ACTIONS

By signing this Access Agreement, the Grantor is granting the EPA, its employees, contractors and subcontractors the right to enter the property, at all reasonable times and with prior notice, for the sole purpose of performing the work. This access shall remain in effect until the work has been satisfactorily completed. The Grantor also agrees to:

- Remove obstructions including boats, trailers, vehicles, playscape items, wood piles, dog houses, etc;
- Remove flower bulbs or plants that the Grantor or the Grantor's tenant may wish to save;
- Water and maintain replacement vegetation, including fertilizer application, as necessary subsequent to an initial watering period by EPA, unless watering is restricted by Denver Water Board;
- Abide by health and safety guidance provided by EPA;
- If the property is rented, assist EPA in obtaining tenant approval for access to the property to perform the work if EPA is unable to obtain such access; and
- Allow videotaping and/or photography of the property including exterior and interior areas of buildings.

**AGREEMENT NOT TO INTERFERE**

The Grantor agrees not to interfere or tamper with any of the activities or work done, or the equipment used to perform the activities, or to undertake any actions regarding the use of said property which would tend to endanger the health or welfare of the Grantees or the environment, or to allow others to use the property in such a manner.

Should you have any questions about this program, please contact the VB/I-70 Command Center at (303) 487-0377.

☐ I grant access to my properties

☐ I do not grant access to my properties

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**Signature**

**Date**

---

**Signature**

**Date**

☐ I would like to be present during any sampling that is required.

☐ My property has a working sprinkler system that will need to be replaced.